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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/709,265	11/09/2000	Willem Van Erk	PHN-17.734	3672

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PHILIPS ELECTRONICS NORTH AMERICAN CORP
580 WHITE PLAINS RD
TARRYTOWN, NY 10591

EXAMINER

GEMMELL, ELIZABETH M

ART UNIT

PAPER NUMBER

2882

DATE MAILED: 06/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/709,265

Applicant(s)

VAN ERK, WILLEM

Examiner

Beth Gemmell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5 and 6 is/are rejected.
- 7) ☒ Claim(s) 3 and 4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152).
- 6) ☐ Other: _____.

DETAILED ACTION

Receipt is acknowledged of the amendment and request for continued examination filed 21 May 2003.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,2,5 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Hansler et al. (US Patent 4,935,668; hereinafter Hansler).

Re claim 1: Hansler discloses, in figure 1 and throughout the disclosure, a high-pressure gas discharge lamp comprising a quartz glass lamp vessel which is closed in a gastight manner (16), with a space which is enclosed by a wall and in which a pair of electrodes is arranged (30,32); an outer surface of the wall extending between the pair of electrodes and a filling provided in the space and comprising a rare gas (column 5, line 40; xenon gas), a mercury buffer gas (column 5, line 39) and halides of tin and indium (Table I: Tin Iodine and Indium Iodine), characterized in that the wall has a wall load of at least 30 W/cm^2 at its outer surface, and in that the filling further consists essentially of an alkali metal halide with at least one alkali ion and at least one halide ion, the alkali ion being chosen from the group formed by potassium, rubidium, and cesium, and the halide ion being chosen from the group formed by chlorine, bromine and iodine (Table I: Cesium Iodine).

Regarding the wall load, the applicant discloses that a lamp having a short discharge arc (at most 10mm) has a wall load equal to 30 W/cm^2 at its outer surface.

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Therefore since Hansler discloses a discharge arc in the range of 2-10mm, Hansler discloses a discharge lamping having a wall load equal to 30 W/cm^2 at its outer surface.

Re claim 2: Hansler discloses the discharge arc between 2 and 10 mm (column 4, line 28).

Re claim 5: Hansler discloses, in figure 1 and throughout the disclosure, a reflector (12) in which the lamp vessel is fixed.

Re claim 6: Hansler discloses the high-pressure gas discharge lamp to be a DC lamp (column 2, line 47).

Allowable Subject Matter

Claims 3 and 4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The best prior art of record teaches a high-pressure discharge lamp having a fill including: a rare gas, a mercury buffer gas, halides of tin and indium and an alkali metal

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halide, comprised of an alkali ion and a halide ion, being Cesium Iodine, however it fails to teach or fairly suggest the alkali ion being potassium or the halide ion being bromine.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth Gemmell whose telephone number is (703) 305-1937. The examiner can normally be reached on Monday-Thursday 6:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on (703) 305-3492. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



emg
May 29, 2003


ROBERT H. KIM
SUPERVISOR
TECHNICAL SERVICES
MAY 29 2003